

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

In Re WAL-MART STORES, INC. WAGE  
AND HOUR LITIGATION

No. 06-02069 SBA

**ORDER**

[Docket Nos. 90 & 92]

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This Document Relates To:

Case Nos.

C 06 02069 SBA (Smith) and  
CV 06-05411 SBA (Ballard)  
\_\_\_\_\_ /

Pending before the Court are Wal-Mart's Motions for Summary Judgment [Docket Nos. 267 and 269]. On April 21, 2008, the parties filed a Joint Request to Defer Hearing and Ruling on Wal-Mart's Summary Judgment Motions Prior to Class Notice and Opt-Out Period [Docket No. 307]. In its May 5, 2008 Order, the Court approved a form of notice to class members in this case [Docket No. 325]. Pursuant to the Court's February 13, 2008 Class Certification Order [Docket No. 250], class members may opt-out of the class if they so desire within 30 days of notice having been sent. The notice to class members has yet to be sent to the class.

In consideration of the foregoing, IT IS HEREBY ORDERED THAT pursuant to Rule 16 of the Federal Rules of Civil Procedure and Local Rule 16-10(c), the trial date, currently scheduled for June 30, 2008, the pretrial conference, currently scheduled for June 17, 2008, the settlement conference, currently scheduled for May 27, 2008, and all hearing dates currently scheduled, are hereby VACATED.

IT IS FURTHER ORDERED THAT the parties appear for a Case Management Conference on July 10, 2008 at 2:45 p.m. The parties shall meet and confer prior to the conference and shall

1 prepare a joint Case Management Conference Statement which shall be filed no later than ten (10)  
2 days prior to the Case Management Conference that complies with the Standing Order For All  
3 Judges Of The Northern District Of California and the Standing Order of this Court. Plaintiffs shall  
4 be responsible for filing the statement as well as for arranging the conference call. All parties shall  
5 be on the line and shall call (510) 637-3559 at the above indicated date and time.

6 IT IS FURTHER ORDERED THAT the hearing for Wal-Mart's Motions for Summary  
7 Judgment [Docket Nos. 267 and 269], currently scheduled for May 27, 2008, is CONTINUED to  
8 June 24, 2008. Wal-Mart's Motion to Shorten Time [Docket No. 316] and Wal-Mart's Motion to  
9 Continue Trial Date [Docket No. 318] are DENIED as moot.

10 IT IS SO ORDERED.

11  
12 Dated: 5/7/08

  
SAUNDRA BROWN ARMSTRONG  
United States District Judge